

REMARKS

Claims 12-18 and 23-26 are currently pending. Claim 12 has been amended. Claims 1-11 and 19-22 have been cancelled. Claims 23-26 have been newly added.

I. The Objection to Claims 12-18 and the Allowable Subject Matter

The Examiner objected to claims 12-18 as allegedly being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 12 has been rewritten into independent form. Claims 13-18 depend from claim 12. Therefore, it is respectfully submitted that claims 12-18 are in condition for allowance.

New claim 23 has been added. Claim 23 contains all of the elements of allowable claim 12, with the addition of defining the material of the barrier layer (tantalum compounds and titanium compounds) (see Applicants' specification as originally filed, for example, page 5, lines 6-12 and lines 23-26 and page 24, lines 8-16). Claim 24 is dependent on claim 23 and further defines the barrier layer (tantalum, tantalum nitride, tantalum alloys, titanium, titanium nitride and titanium alloys) (see Applicants' specification as originally filed, for example, page 5, lines 6-12 and lines 23-26 and page 24, lines 8-16). Therefore, it is respectfully submitted that claims 23 and 24 are in condition for allowance for at least the same reasons as claim 12.

New claim 25 has been added. Claim 25 contains all of the elements of allowable claim 12, but with a narrower range for the pH of the polishing slurry (3 to 3.75) (see Applicants' specification as originally filed, for example, page 14, lines 5-9). Therefore, it is respectfully submitted that claim 25 is in condition for allowance for at least the same reasons as claim 12.

New claim 26 has been added. Claim 26 contains all of the elements of allowable claim 12, with the addition of the polishing slurry containing particle with an average particle diameter of 100 nm or less (see Applicants' specification as originally filed, for example, page 18, lines 9-12). Therefore, it is respectfully submitted that claim 26 is in condition for allowance for at least the same reasons as claim 12.

II. The Art Rejections

Claims 1-5, 6-11 and 19 are rejected under 35 U.S.C. 102(e) as allegedly being anticipated by Yoneda et al. (US 7,118,685).

Claims 20-22 are rejected under 35 U.S.C. 102(e) as allegedly being anticipated by Yoneda et al. (US 7,118,685).

Claims 1-8, 10-11, 19, and 20 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Costas et al. (US 2002/0189169) in view of Hirabayashi et al. (US 6,426,294).

Claims 1-11, 19, and 20-22 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Bian et al. (US 2004/0023492) in view of Hirabayashi et al. (US 6,426,294/118,685).

Claims 1-11 and 19-22 have been cancelled. Therefore, the art rejections are moot and withdrawal is requested.

III. Conclusion

In view of the above, Applicants respectfully submit that their claimed invention is allowable and ask that the objection to the claims and the rejections under 35 U.S.C. §§102 and 103 be reconsidered and withdrawn. Applicants respectfully submit that this case is in condition for allowance and allowance is respectfully solicited.

If any points remain at issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the local exchange number listed below.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
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